

**CITY OF HIALEAH
PLANNING AND ZONING BOARD MEETING
March 22, 2017**

HIALEAH CITY HALL
501 PALM AVENUE-3RD FLOOR

7:00 P.M.
HIALEAH

Call to order.

Invocation and pledge of allegiance

ALL LOBBYISTS MUST REGISTER WITH THE PLANNING AND ZONING BOARD PRIOR TO ITEM BEING HEARD

A MAXIMUM OF 4 SPEAKERS IN FAVOR AND 4 SPEAKERS IN OPPOSITION WILL BE ALLOWED TO ADDRESS THE PLANNING AND ZONING BOARD ON ANY ITEM. EACH SPEAKER'S COMMENTS WILL BE LIMITED TO 3 MINUTES.

1. Roll Call.
2. Approval of Planning and Zoning Board Summary Agenda of February 22, 2017 as submitted.

ADMINISTRATION OF OATH TO ALL APPLICANTS AND ANYONE WHO WILL BE SPEAKING BEFORE THE BOARD ON ANY ITEM.

A WRITTEN DECISION AND RESOLUTION WILL BE PREPARED AND PRESENTED FOR REVIEW TO THE CITY COUNCIL. THE CITY COUNCIL IS AUTHORIZED TO AFFIRM, AFFIRM WITH CONDITIONS, OR OVERRIDE THE DECISIONS BY RESOLUTION. AFTER THE RESOLUTION IS ADOPTED, A MEMBER OF THE PLANNING DIVISION WILL CONTACT THE APPLICANT WHEN A COPY OF THE FINAL DECISION AND RESOLUTION CAN BE PICKED UP. UPON YOUR RECEIPT OF THE FINAL DECISION AND RESOLUTION, CONTACT THE BUILDING DEPARTMENT TO OBTAIN YOUR REQUIRED BUILDING PERMIT. SUMMARY MINUTES, OR A COPY OF THE AUDIO FILE OF THE PROCEEDINGS BEFORE THE PLANNING AND ZONING BOARD, SHALL BE PREPARED AND SUBMITTED TO THE CITY COUNCIL BEFORE ITS HEARING.

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, APRIL 11, 2017

3. **Final Decision** to adjust the distance between proposed terrace and accessory building of 10.7' (20' required). Property located at 272 West 17 Street, Hialeah, zoned R-1 (One Family District).

Applicant: Carlos M. Diaz

TABLED ITEM FROM DECEMBER 14, 2016, JANUARY 11 and FEBRUARY 8, 2017, and February 22, 2017

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, MARCH 28, 2017

4. **Variance** permit to allow the construction of a single family residence on a substandard lot, having a frontage of 50' (75' required), total lot area of 6,250 square feet (7,500 square feet required). Property approximately located on the east side of West 6 Court, south of West 23 Street and north of the F.E.C. Railway/Hialeah Expressway, 21XX West 6 Court, Hialeah.

Applicant: Gilberto Aguila

5. **Repeal and rescind** Ordinance No.12-70, dated 11-5-12 and Declaration of Restrictive Covenants recorded 10-16-12, PB 28315 Page 0166; and granting a variance permit to allow a pervious area of 11.3% (minimum 20% required), allow 13 parking spaces (26 required); waive some of the City of Hialeah Landscape Manual requirements of 7-foot landscape buffer between the surface parking area and the street, and allow 1,492 square feet of landscaped area (2,840 square feet required); allow no trees (5 trees required), for proposed children day-care facility on the ground floor and offices on the second floor. Property located at 122 West 23 Street, Hialeah, zoned M-1 (Industrial District).

Applicant: Yanelis Padron

6. **PROPOSED ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXTENDING THE TEMPORARY MORATORIUM UNDER ORDINANCE NO. 2016-60 WITH A TERMINATION DATE OF APRIL 4TH, 2017 FOR AN ADDITIONAL PERIOD OF ONE HUNDRED AND EIGHTY (180) DAYS FROM APRIL 4TH ON THE ACCEPTANCE, REVIEW, , APPROVAL OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES §163.3164(16), BUSINESS TAX RECEIPTS, OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DISPENSING FACILITIES WITHIN THE CITY OF HIALEAH ENGAGED IN THE ON-SITE DISTRIBUTION, SALE, DELIVERY OR RETAIL OF LOW-THC CANNABIS, MEDICAL CANNABIS OR CANNABIS DELIVERY DEVICES PURSUANT TO §381.986 AND §499.0295 OF THE FLORIDA STATUTES, TO INCLUDE A MORATORIUM ON USES UNDER AMENDMENT 2 NOW ARTICLE X § 29 OF THE FLORIDA CONSTITUTION ENTITLED "MEDICAL MARIJUANA PRODUCTION, POSSESSION AND USE" TO RUN CONCURRENTLY WITH THE EXTENSION OF THE MORATORIUM UNDER ORDINANCE NO.2016-60 IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT REGULATIONS GOVERNING THE ESTABLISHMENT AND OPERATION OF DISPENSING FACILITIES OR ORGANIZATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

THE PLANNING AND ZONING BOARD RECOMMENDATIONS FOR THE FOLLOWING PUBLIC HEARING REQUESTS WILL BE HEARD BY THE CITY COUNCIL, AT ITS SCHEDULED MEETING OF TUESDAY, APRIL 11, 2017

COMPREHENSIVE PLAN TEXT AMENDMENT

7. RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, EXPRESSING ITS INTENT TO APPROVE AND ADOPT A TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT, HOUSING ELEMENT AND RECREATION AND OPEN SPACE ELEMENT OF THE CITY OF HIALEAH COMPREHENSIVE PLAN IN RELATION TO THE COMMERCIAL RECREATION LAND USE CLASSIFICATION TO INCORPORATE RESIDENTIAL USES AND CORRESPONDING POLICIES AND OBJECTIVES IN CONNECTION WITH THE PROPOSED REDEVELOPMENT OF HIALEAH PARK RACE TRACK.

Applicant: Bal bay Management c/o Javier Vazquez, Esq.

MISCELLANEOUS ITEMS NOT REQUIRING ADVERTISING:

8. TENTATIVE PLAT OF FLIGHTAWAY SUBDIVISION

9. Old Business.

10. New Business.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 OR (305) 883-8076 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.